

PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0388

LOCATION: Lock Up Garages adjacent to 4 Prentice Court

DESCRIPTION: Demolition of 4no domestic lock up garages and construction of 1no new build dwelling

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The proposed development would result in the satisfactory reuse of this site and would not cause significant harm to the character and appearance of the surrounding area, neighbour amenity and the highway system, whilst securing a satisfactory level of accommodation for the future occupiers of the development. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework, Policies BN3, S1, S3, S10 and H10 of the West Northamptonshire Joint Core Strategy, and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application relates to the demolition of 4 lock up garages and the construction of one three-storey town house, attached to the adjacent terrace of similar two and three storey properties. The application indicates the layout will provide:

- a living room and kitchen/diner on ground floor,
- two bedrooms and a bathroom on the first floor;
- a bedroom and bathroom on the second floor;
- provision for four parking spaces to the front of the site.

3 SITE DESCRIPTION

- 3.1 Prentice Court is located off Goldings Road. The area is predominantly residential, but there is a local centre and the open space around Billing Brook nearby. Goldings Road is also a bus route and there are bus stops close to the junction of Goldings Road and Prentice Court.
- 3.2 The site is triangular in shape and relatively flat and is currently occupied by a garage block, parking area and a wide landscaped area (including a number of mature trees).

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies and emerging Neighbourhood Development Plans where relevant.

6 National Policies

- 6.1 **The National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

6.2 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy BN3 - Trees and woodland

Policy H1 - Housing

Policy S3 - Scale and Distribution of Housing Development

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles

6.3 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

E20 – New development

6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

6.5 **Other Material Considerations**

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

Policy H1: Housing Mix

Policy H2: Small scale housing development

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **NCC Highways and Access** – no objection.

7.2 **NBC Arboricultural Officer** – no objection in principle to the proposed development, but recommend that a site specific arboricultural method statement will be required to protect the retained copper beech.

7.3 **NBC Public Protection** – recommend a condition regarding the treatment of unexpected contamination and further details regarding car charging points and boiler specifications. They have also suggested that an hours of work condition is imposed to protect local residents.

7.4 One letter of objection was received as a result of the public consultation, which raised concerns about issues with foul drainage and lack of car parking in the area.

8 **APPRAISAL**

Principle

8.1 The garages are located within a residential area and is therefore considered an appropriate site for residential development. In addition, weight should be given to the fact that the Council cannot currently demonstrate a five year housing land supply. This development would make a contribution, albeit small, to addressing this need.

8.2 Policy H2 of the Growing Together Neighbourhood plan, supports small scale housing developments on sites such as redundant garage sites, in particular for one and two bed dwellings. In this instance the proposed dwelling is a three bedroom property in keeping with the surrounding residential development.

8.3 Policy H1 of the Growing Together Neighbourhood Plan and Policy H1 of the Joint Core Strategy seeks to provide a mix of housing types to suit the needs of the area.

Design and Layout

8.4 The proposed dwellings are simple in design and layout; three storey brick and tile in structure, with a rear single storey projection and a rain porch over the front door. The layout of the property includes a living room and kitchen/diner on ground floor; two bedrooms and a bathroom on the first floor; one bedroom and bathroom on the second floor and the provision for four parking spaces to the front of the site.

- 8.5 The existing terrace comprises of a block of four dwellings, two being two storey and the two nearest the application site are three storey. All have tile hanging to the front and rear elevations, but around the area, there is a mix of tile hung and brick finish dwellings. It is considered that the brick finish in this instance would be an appropriate finish to add a degree of variation to the area, in keeping with other terraces in Prentice Court.
- 8.6 The proposed development would feature appropriately sized gardens that are necessary to ensure a satisfactory level of amenity for the future occupiers of the development. These will be surrounded by a 1.8m high close boarded timber fence with lockable gates and a trellis top, which is considered appropriate to this location and the gardens also include a separate bin storage area and shed.

Residential Impact

- 8.7 In terms of residential amenity, there are no windows on the side elevation of 5 Prentice Court and there is a separation distance of 15m between the side of the existing property and the front elevation of the proposed. Whilst this is below the normally accepted standard of 16m, it is considered acceptable in this instance as given the layout of the dwelling, outlook is not compromised sufficiently to warrant a refusal of the application.
- 8.8 The proposed dwelling is to be attached to the side elevation of 4 Prentice Court. Whilst there is a single storey rear projection on the proposed dwelling, it is considered that this will not demonstrably result in harm in terms of daylight or sunlight to the existing property.
- 8.9 The windows to the rear of the property, will offer natural surveillance of the local centre and the area around the greenspace/public realm.

Parking

- 8.10 To the front of the properties, is an area that is currently laid out as a parking area and this is to be laid out to provide four parking spaces (including spaces to serve the existing and proposed dwellings). The Local Highway Authority have no objections to this layout or alteration to the access.
- 8.11 Whilst it is appreciated that the development would result in the loss of a relatively small garage court, it should be noted that within current planning policies (either at a national or local level) that there is no requirement to retain garages.

Trees

- 8.12 There are a number of mature trees around the boundaries of the site. The submitted drawings indicate that these are to be retained and the dwellings are outside the root protection areas for these trees. The Council's Arboricultural Officer has considered the submitted tree survey and Arboricultural Impact Assessment Report. It is noted that three small trees are to be removed, but it is considered that these currently make a modest contribution to public amenity and there is no objection to the proposal.
- 8.13 In addition, he notes that the trees that are to be retained are to be protected with protective barrier fencing and protective ground protection measures. However, details of these are not contained within the application. A condition is proposed to ensure this is adequately addressed.

Other Matters

- 8.14 The Environmental Health Officer has requested the securing of car charging points and a specific type of boiler. It is considered that the provision of car charging points would be disproportionate given the scale of the development whilst the provision of boilers is a matter that would normally be addressed under the relevant building regulations. Due to the relatively small scale of

development, it is not considered that a construction hour condition is necessary and any potential nuisance would be covered by Environmental Health legislation.

- 8.15 One letter of objection has been received from an adjacent occupier. This has raised concerns about parking in the area and adequacy of the foul drainage system in the area. In respect of parking, the proposal indicates a parking area to serve existing and proposed occupants. As part of the scheme, the local highway authority were consulted and have not raised any objections to the proposal.
- 8.16 In respect of foul drainage concerns; this will be addressed through the Building Regulations and Anglian Water, rather than directly a planning issue.

9 CONCLUSION

- 9.1 It is considered that the proposed development represents an acceptable land use and, subject to conditions, would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity and the highway system.

10 CONDITIONS

- 10.1 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (P) 01; (P) 02; (P) 03 site plan, (P) 03 rev B site plan and street elevation; (P) 04; (P) 05;

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the building hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no dormers shall be constructed in the roof of the dwelling hereby permitted.

Reason: To safeguard the privacy of nearby residents in accordance with Policy E20 of the Northampton Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the dwelling hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

6. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in

writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

7. The car parking and manoeuvring areas as shown on drawing (P) 03 rev B shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. Full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

10. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

11 BACKGROUND PAPERS

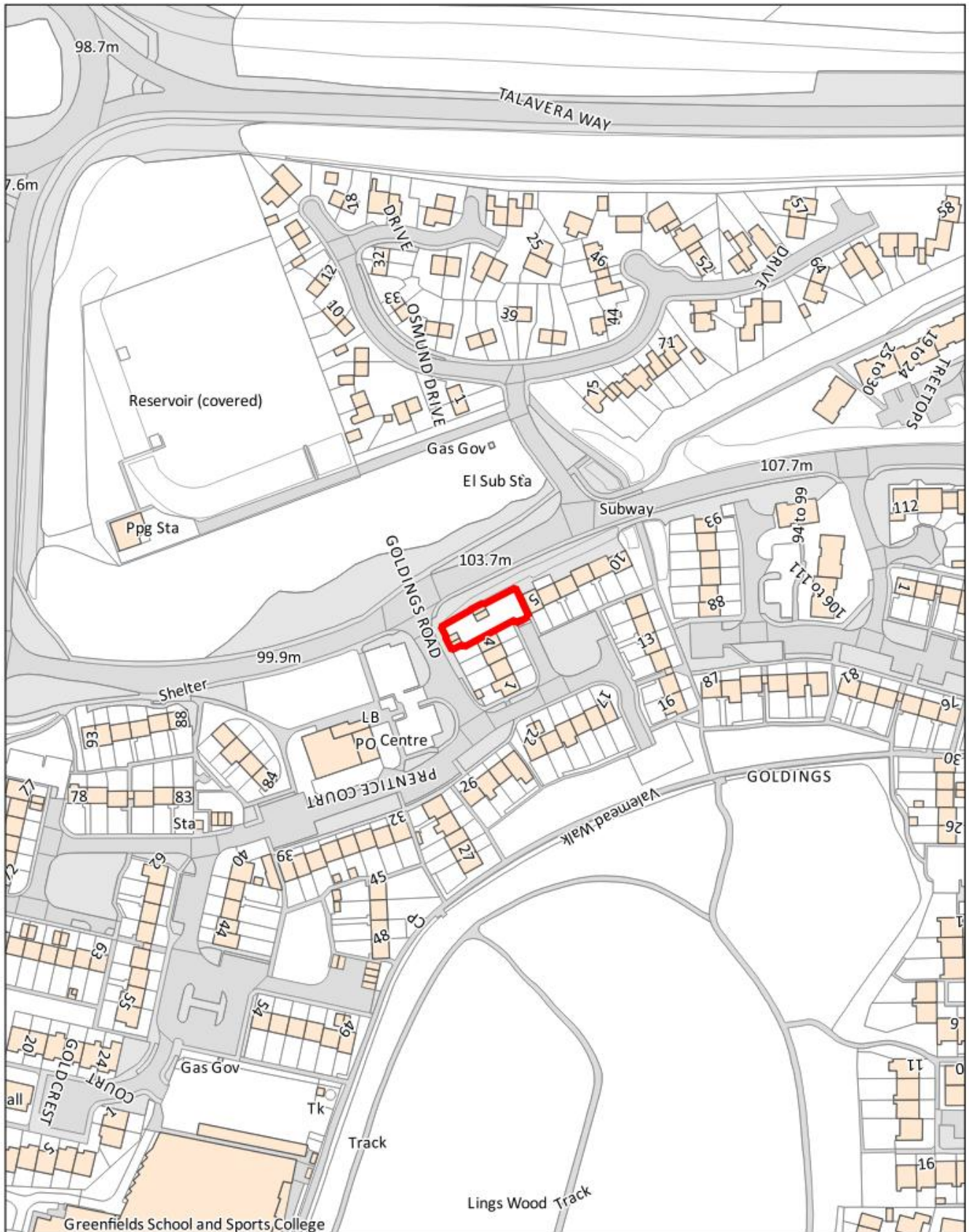
11.1 N/2019/0388.

12 LEGAL IMPLICATIONS

12.1 The development is CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Lock up garages, Prentice Court**

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